

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA)
)
) Criminal No. 05-24 Erie
)
BARRY WAYNE LEWIS)

ORDER FOR PSYCHIATRIC OR PSYCHOLOGICAL EXAMINATION

This matter having come before the court upon the defendant's motion for a competency hearing. The motion is hereby **GRANTED**.

THE COURT ORDERS pursuant to 18 U.S.C. §§4241(b), 4247(b) and (c), that the defendant be committed to the custody of the Attorney General for a reasonable period, not to exceed thirty days, during which psychiatric or psychological examinations shall be conducted upon the defendant. Such examination, which shall be conducted in a suitable facility closest to the court and pursuant to 18 U.S.C. §4247(c), shall determine whether the defendant is suffering from a mental disease or defect rendering him mentally incompetent to the extent that he is unable to understand the nature and consequences of the proceeding against him or to properly assist in his defense and his competency to stand trial.

IT IS FURTHER ORDERED that a psychiatric or psychological report be prepared by the examiner designated by the Attorney General to conduct the psychiatric or psychological examination and said report shall be filed with the Court with copies provided to defense counsel and government counsel.

IT IS FURTHER ORDERED that a competency hearing be scheduled following the receipt of the psychiatric or psychological report.

IT IS FURTHER ORDERED that any delay resulting from the proceedings, including any examinations, to determine Mr. Lewis' competency shall be excluded under Title 18 U.S.C. § 3161(h)(1)(A).

SEAN J. McLAUGHLIN
UNITED STATES DISTRICT JUDGE